

AMENDED IN SENATE MAY 3, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1259

Introduced by Senator Murray

February 12, 2004

An act to amend Section 32569 of the Public Resources Code, relating to the Baldwin Hills Conservancy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1259, as amended, Murray. Public ~~Resources~~ *resources*: Baldwin Hills Conservancy: property acquisition: appraisals.

Existing law establishes the Baldwin Hills Conservancy in the Resources Agency for the purpose, among other things, of acquiring lands for open space within the territory of the conservancy. Existing law authorizes the conservancy to acquire real property at fair market value and consistent with the Property Acquisition Law, except that the acquisition price of lands acquired from public agencies may be based on the public agencies' costs to acquire the land.

This bill would authorize the conservancy to hire MAI certified appraisers to conduct state standard land appraisals required for the Department of General Services or the Public Works Board land acquisition approval processes, and to utilize other public agencies with oil field acquisition and management experience to approve appraisal valuations for *submission to* the Public Works Board ~~acquisition approval process~~.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 32569 of the Public Resources Code is amended to read:

32569. (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.

(b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:

(1) The conservancy may acquire property at fair market value and consistent with the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code), except that the acquisition price of lands acquired from public agencies may be based on the public agencies' cost to acquire the land.

(2) The conservancy shall approve the terms under which the interest in land is acquired.

(3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.

(4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the conservancy.

(5) The conservancy shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.

(6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the conservancy, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.

(c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this

1 section shall be recorded and shall set forth the executory interest
2 or right of entry on the part of the conservancy.

3 (d) The conservancy may hire certified appraisers who are
4 members of the Appraisal Institute (MAI certified) to conduct
5 standard state land appraisals required for the Department of
6 General Services or the Public Works Board land acquisition
7 approval processes. The conservancy may utilize other public
8 agencies with oil field acquisition and management experience to
9 approve appraisal valuations for *submission to* the Public Works
10 Board ~~acquisition approval process~~.

